



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

William S Frommer
Frommer Lawrence Haug LLP
745 Fifth Avenue
New York NY 10151

MAILED

JAN 06 2010

OFFICE OF PETITIONS

In re Application of :
Klipstein :
Application No. 10/561,729 : **RESPONSE TO PETITION**
Filed: February 12, 2007 :
Attorney Docket No. 456110-2360 :

This is a response to the renewed petition, filed September 24, 2009, under 37 CFR 1.59(b) to expunge information from the above identified application.

The petition is **granted**.

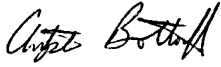
A Response Under 37 CFR 1.111 (Response) was filed in the above-identified application on September 23, 2009. The first page of the Response identified Application No. 11/093,868, filed March 30, 2005, and the content of the Response is consistent with the content of that application. However, the Response was filed through the Electronic Filing System (EFS) and was directed to the above-identified application, 10/561,729. Petitioner asserts that the Response was unintentionally filed in the above-identified application and requests that the Response be expunged from the File Wrapper of the above-identified application and transferred to Application No. 11/093,868.

Upon a showing satisfactory to the Director, information, other than that forming part of the original disclosure, may be expunged from an application. Since the Office can determine the correct application file for which the erroneously filed papers were intended from the identifying information on the papers, the papers will be transferred as requested.

The Response filed September 23, 2009 will be closed in the Image File Wrapper (IFW) for application serial no. 10/561,729 and also removed from the listing of publicly available documents. The Response relates to application number 11/093,868 and will be transferred to that application.

As a condition of this favorable treatment petitioner is required to maintain the material in question during the enforceable life of any patent arising from this application, or any patent claiming benefit of this application.

Telephone inquiries concerning this communication should be directed to the undersigned at (571) 272-6692.

A handwritten signature in black ink, appearing to read "Christopher Bottorff". The signature is written in a cursive, slightly stylized font.

Christopher Bottorff
Petitions Examiner
Office of Petitions